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**DOCKET NO. D-2012-008 CP-1**

**DELAWARE RIVER BASIN COMMISSION**

**Philadelphia International Airport  
Airport Expansion and Wetland Encroachment Project  
City of Philadelphia, Pennsylvania  
Tinicum Township, Delaware County, Pennsylvania**

**PROCEEDINGS**

This docket is issued in response to an Application submitted to the Delaware River Basin Commission (DRBC or Commission) by Patricia Ann Quigley, Inc. on behalf of the Philadelphia International Airport (PHL or docket holder) on March 13, 2012 (Application), requesting approval of the multi-phased Capacity Enhancement Program (CEP) at the PHL located adjacent to the Delaware River in or near the City Philadelphia, Pennsylvania.

The Application was reviewed for inclusion in the Comprehensive Plan and approval under Section 3.8 of the *Delaware River Basin Compact*. The Philadelphia City Planning Commission has been notified of pending action. A public hearing on this project was held by the DRBC on December 5, 2012.

**A. DESCRIPTION**

**1. Purpose.** The purpose of this docket is to approve the multi-phased CEP at the PHL. The CEP includes the construction of new and/or the expansion of buildings, roadways, taxiways, and runways, as well as the filling of open water and wetlands on-site and mitigation projects in and around the City of Philadelphia, Pennsylvania.

**2. Location.** The PHL is a 2,300 acre airport located adjacent to Water Quality Zone 4 of the Delaware River at River Mile 89.0. The PHL is located approximately seven (7) miles southwest of downtown Philadelphia on the edge of the City of Philadelphia and Tinicum Township, Delaware County, both located in Pennsylvania as follows:

<b>SITE</b>	<b>LATITUDE (N)</b>	<b>LONGITUDE (W)</b>
PHL	39° 51' 41"	75° 15' 04"

3. **Project Area.** The PHL expansion includes the construction of buildings, roadways, runway extensions, and other auxiliary portions of each of these main projects that will all occur on PHL property in the City of Philadelphia, Pennsylvania and Tinicum Township, Delaware County, Pennsylvania. Wetland fill areas are located on PHL property. The docket holder will also dredge a portion of the Delaware River at Sunoco Fort Mifflin Pier and perform wetland mitigation at up to twenty (20) locations in and around the City of Philadelphia as described on pages 6-19 and 6-20 of the CEP document. For the purpose of defining the Area Served, the Application is incorporated herein by reference consistent with conditions contained in the DECISION Section of this docket and includes the CEP FEIS document.

4. **Physical Features.**

a. **Design Criteria & Facility Description.** The PHL is owned and operated by the City of Philadelphia. Designated as a large hub airport, PHL serves 30 scheduled passenger airlines, six cargo airlines, and general aviation. The PHL currently consists of 7 terminals, 107 domestic gates, and 13 international gates.

The docket holder intends to construct new and/or expand upon existing buildings, roadways, taxiways, and runways at the PHL to meet current and future air travel needs and help to decrease/eliminate delays throughout the national airspace system as identified by the Federal Aviation Administration (FAA). The proposed work is captured in the CEP and is planned to take place thru the year 2028. Work includes relocating the United Parcel Service (UPS) building, redevelopment of Cargo City, construction of a new ground transportation center, terminal development, and multiple runway/taxiway extension and construction projects as well as auxiliary projects for each. The work will enhance capacity and reduce air traffic delays in the region and across the nation. The work will result in the reconfiguration of the airfield, terminal complex, cargo and parking areas, as well as the relocation of the air traffic control tower, navigational aids, and lights at the PHL.

The enhanced airfield will have five runways with the following characteristics:

<b>EXISTING RUNWAY NAME</b>	<b>PROPOSED RUNWAY NAME</b>	<b>CURRENT LENGTH (Feet)</b>	<b>PROPOSED LENGTH (Feet)</b>
17-35	17-35	6,500	6,500
8-26	8-26	5,000	7,000
9L-27R	9L-27R	9,500	9,500
9R-27L	9C-27C	10,500	12,000
---	9R-27L	---	9,103

The PHL has 76 wetland areas on 155.67 acres of land and 45 waterway sections [there are seven actual waterways (See FINDINGS Section below)] on or around the site consisting of a total of 52.13 acres. The docket holder proposes to fill 24.5 acres of tidal open water wetlands, 23.1 acres of non-tidal open water wetlands, and 81.7 acres of other wetlands throughout the PHL site. This will occur over the life of the 13-15 year multi-phased project.

**b. PADEP Approvals.** The Pennsylvania Department of Environmental Protection (PADEP) will be issuing a renewed National Pollutant Discharge Elimination System (NPDES) Permit for the stormwater discharges from the PHL. The DRBC does not regulate discharges which comprise entirely of stormwater. Additionally, the PADEP will need to issue stream and wetland encroachment permits for the PHL expansion projects. The docket holder is in the pre-application stage and is expected to submit applications to the PADEP shortly (See DECISION Condition II.b.).

**c. USACE Approvals.** The United States Army Corp of Engineers (USACE) will need to issue stream and wetland encroachment permits for the PHL expansion projects. The docket holder is in the pre-application stage and is expected to submit applications to the USACE shortly (See DECISION Condition II.b.).

**d. Cost.** The overall cost to construct and implement the projects within the CEP at the PHL along with the mitigation required for wetland work is estimated to be \$6,400,000,000 (See DECISION Condition II.h.).

**e. Relationship to the Comprehensive Plan.** Issuance of this docket will include the PHL into the Comprehensive Plan (See DECISION Condition I.).

## **B. FINDINGS**

The purpose of this docket is to approve the multi-phased CEP at the PHL. The CEP includes the construction of new and/or the expansion of buildings, roadways, taxiways, and runways, as well as the filling of wetlands on-site and mitigation projects throughout the Delaware Basin in and around the City of Philadelphia, Pennsylvania.

The CEP is a final environmental impact statement (FEIS). Public hearings for draft environmental impact statements (DEIS) started in 2003. All agencies of local, state, and federal government as well as the public have had time to read and submit comments on the DEIS and FEIS document prior to the issuance of the FEIS in 2010. Commission staff agree with the findings and conclusions of the FEIS and this docket will approve the CEP as it was submitted with the Application.

The docket holder has predicted that construction operations may occur for 13-15 years before all improvements proposed are complete. Below is the list of the seven (7) program milestones for the PHL expansion and the year that each is expected to be complete:

<b>PROGRAM MILESTONE</b>	<b>TARGETED COMPLETION DATE</b>
Extension of Runway 9R-27L to 12,000'	2014
Intermodal Ground Transportation Center	2015
New Concourse G	2016
Automated People Mover	2018

New 9,000' Runway 9R-27L	2019
New Satellite Regional Terminal	2020
Extension of Runway 8-26 to 7,000'	2023

Seven waterways exist on or around the project site and will all be impacted with construction fill. The seven waterbodies are the Delaware River, Schuylkill River, Church Creek, Mingo Creek, Darby Creek, Eagle Creek, and Long Hook Creek. Additionally several drainage ditches and formerly constructed ponds will be effected.

The docket holder proposes to mitigate wetland disturbances on a minimum of a 1 to 1 basis at up to twenty (20) locations. Those locations are all located in or around the City of Philadelphia, Pennsylvania. The mitigation sites within the City of Philadelphia have 178 to 253 available acres for mitigation purposes, which is almost a minimum of forty percent (40%) more than is needed for minimal mitigation purposes. Other properties in Tinicum Township, Delaware County, Pennsylvania are also being explored as possible mitigation sites. Final plans and specifications for all mitigation projects must be submitted to the Executive Director for review and approval prior to construction activities commencing (See DECISION Condition II.d.). The docket holder is encouraged to include DRBC staff on any and all site visits of the mitigation sites for continuity.

The docket holder proposes to dredge approximately 760,000 yd<sup>3</sup> of virgin soil at the Sunoco Fort Mifflin Pier. Additionally, the pier will be extended by approximately 1,000 feet using a piling system. The proposed work also includes a 600 foot mooring walkway. The docket holder is required to test the dredge spoils for polychlorinated biphenyls (PCBs) in accordance with all state and federal procedures and shall dispose of the dredge spoils accordingly. The dredging and pier work is being performed so that larger ships can dock nearby and provide fuel at the airport more easily. Final plans and specifications for the dredging and pier work shall be submitted to the Executive Director for review and approval prior to the commencement of construction (See DECISION Condition II.e.). All dredging, pier construction, and wetland mitigation operations shall be performed outside of the prescribed timeframes that the PADEP and USACE establish to protect state and federal threatened and endangered species (See DECISION Condition II.c.).

The project does not conflict with the Comprehensive Plan and is designed to prevent substantial adverse impact on the water resources related environment, while sustaining the current and future water uses and development of the water resources of the Basin.

The limits in the NPDES Permit are in compliance with Commission effluent quality requirements, where applicable.

The project is designed to produce a discharge meeting the effluent requirements as set forth in the Commission's *WQR*.

### C. DECISION

I. Effective on the approval date for Docket No. D-2012-008 CP-1 below, the project and the appurtenant facilities described in Section A “Physical Features” of this docket shall be added to the Comprehensive Plan.

II. The project and appurtenant facilities as described in Section A “Physical Features” of this docket are approved pursuant to Section 3.8 of the *Compact*, subject to the following conditions:

a. The PHL shall be operated at all times to comply with the requirements of the Commission’s *WQR*.

b. Nothing herein shall be construed to exempt the docket holder from obtaining all necessary permits and/or approvals from other State, Federal or local government agencies having jurisdiction over this project.

c. All dredging, pier construction work, and wetland mitigation work shall be performed to comply with PADEP and USACE timeframes meant to protect threatened and endangered species.

d. Final Plans and Specifications for each mitigation site shall be submitted to the Executive Director for review and approval prior to the commencement of each project.

e. Final Plans and Specifications for the dredging and pier construction at Sunoco Fort Mifflin Pier shall be submitted to the Executive Director for review and approval prior to the commencement of this portion of the project.

f. Sound practices of excavation, backfill and reseedling shall be followed to minimize erosion and deposition of sediment in streams.

g. Within 10 days of the date that construction of the project has started, the docket holder shall notify the DRBC of the starting date and scheduled completion date.

h. Within 30 days of completion of construction of the approved project, the docket holder is to submit to the attention of the Project Review Section of DRBC a Construction Completion Statement (“Statement”) signed by the docket holder’s professional engineer for the project. The Statement must (1) either confirm that construction has been completed in a manner consistent with any and all DRBC-approved plans or explain how the as-built project deviates from such plans; (2) report the project’s final construction cost as such cost is defined by the project review fee schedule in effect at the time the application was made; and (3) indicate the date on which the project was (or is to be) placed in operation. In the event that the final project cost exceeds the estimated cost used by the docket holder to calculate the DRBC project review fee, the statement must also include (4) the amount of any outstanding balance owed for DRBC review. The outstanding balance will equal the difference between the fee paid to the Commission and the fee calculated on the basis of the project’s final cost, using the formula and

definition of “project cost” set forth in the DRBC’s project review fee schedule in effect at the time application was made.

i. This docket approval shall expire five years from the date below unless prior thereto the docket holder has commenced operation of the subject project or has expended substantial funds (in relation to the cost of the project) in reliance upon this docket approval.

j. The issuance of this docket approval shall not create any private or proprietary rights in the waters of the Basin, and the Commission reserves the right to amend, suspend or rescind the docket for cause, in order to ensure proper control, use and management of the water resources of the Basin.

k. The Executive Director may modify or suspend this approval or any condition thereof, or require mitigating measures pending additional review, if in the Executive Director's judgment such modification or suspension is required to protect the water resources of the Basin.

l. The Executive Director of the DRBC, may direct a suspension of dredging operations whenever deemed by the Executive Director that the operations are not being conducted in accordance with this docket approval, are adversely affecting water quality, or are harmful to the passage of anadromous or catadromous fishes.

m. Any person who objects to a docket decision by the Commission may request a hearing in accordance with Article 6 of the Rules of Practice and Procedure. In accordance with Section 15.1(p) of the Delaware River Basin Compact, cases and controversies arising under the Compact are reviewable in the United States district courts.

**BY THE COMMISSION**

**DATE APPROVED:**